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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
NICOLE L. BUCHAN,)
)
Defendant.)

No. CR 09-1059 JSW

~~[PROPOSED]~~ ORDER AND STIPULATION
EXCLUDING TIME FROM DECEMBER
17, 2009, TO FEBRUARY 11, 2010, FROM
THE SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(7)(A))

The parties appeared before the Court on December 17, 2009. The Court enters this order scheduling a status hearing before the Honorable Jeffrey S. White on February 11, 2010, at 2:30 p.m., and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from December 17, 2009, to and including February 11, 2010. The parties agreed, and the Court found and held, as follows:

1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to review the discovery the government produced after defendant made her initial appearance before a magistrate judge in the Northern District of California, which

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1 occurred on December 1, 2009.

2 2. Accordingly, the Court found that the ends of justice served by excluding the period
3 from December 17, 2009, to and including February 11, 2010, outweigh the best interest of the
4 public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

5 3. Therefore, and with the consent of the defendant and her attorney, the Court ordered
6 that the period from December 17, 2009, to and including February 11, 2010, be excluded from
7 Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

8 4. The Court scheduled a status hearing on February 11, 2010, at 2:30 p.m.

9 IT IS SO STIPULATED.

10
11 DATED: December 31, 2009

/s/

W. DOUGLAS SPRAGUE
Assistant United States Attorney

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13
14 DATED: January 4, 2010

/s/

MELISSA WEINBERGER
Attorney for Defendant, Nicole L. Buchan

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16
17 IT IS SO ORDERED.

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19 DATED: January 4____, 2010



HONORABLE JEFFREY S. WHITE
United States District Court Judge